



General Assembly

January Session, 2007

Raised Bill No. 1381

LCO No. 4885

* _____SB01381HS_APP031507_____*

Referred to Committee on Human Services

Introduced by:
(HS)

***AN ACT CONCERNING APPROPRIATIONS TO THE DEPARTMENTS
OF SOCIAL SERVICES AND AGRICULTURE.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (4) of subsection (f) of section 17b-340 of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective July 1, 2007*):

4 (4) [For the fiscal year ending June 30, 1992, (A) no facility shall
5 receive a rate that is less than the rate it received for the rate year
6 ending June 30, 1991; (B) no facility whose rate, if determined pursuant
7 to this subsection, would exceed one hundred twenty per cent of the
8 state-wide median rate, as determined pursuant to this subsection,
9 shall receive a rate which is five and one-half per cent more than the
10 rate it received for the rate year ending June 30, 1991; and (C) no
11 facility whose rate, if determined pursuant to this subsection, would be
12 less than one hundred twenty per cent of the state-wide median rate,
13 as determined pursuant to this subsection, shall receive a rate which is
14 six and one-half per cent more than the rate it received for the rate year
15 ending June 30, 1991. For the fiscal year ending June 30, 1993, no
16 facility shall receive a rate that is less than the rate it received for the

17 rate year ending June 30, 1992, or six per cent more than the rate it
18 received for the rate year ending June 30, 1992. For the fiscal year
19 ending June 30, 1994, no facility shall receive a rate that is less than the
20 rate it received for the rate year ending June 30, 1993, or six per cent
21 more than the rate it received for the rate year ending June 30, 1993.
22 For the fiscal year ending June 30, 1995, no facility shall receive a rate
23 that is more than five per cent less than the rate it received for the rate
24 year ending June 30, 1994, or six per cent more than the rate it received
25 for the rate year ending June 30, 1994. For the fiscal years ending June
26 30, 1996, and June 30, 1997, no facility shall receive a rate that is more
27 than three per cent more than the rate it received for the prior rate
28 year. For the fiscal year ending June 30, 1998, a facility shall receive a
29 rate increase that is not more than two per cent more than the rate that
30 the facility received in the prior year. For the fiscal year ending June
31 30, 1999, a facility shall receive a rate increase that is not more than
32 three per cent more than the rate that the facility received in the prior
33 year and that is not less than one per cent more than the rate that the
34 facility received in the prior year, exclusive of rate increases associated
35 with a wage, benefit and staffing enhancement rate adjustment added
36 for the period from April 1, 1999, to June 30, 1999, inclusive.] For the
37 fiscal year ending June 30, 2000, each facility, except a facility with an
38 interim rate or replaced interim rate for the fiscal year ending June 30,
39 1999, and a facility having a certificate of need or other agreement
40 specifying rate adjustments for the fiscal year ending June 30, 2000,
41 shall receive a rate increase equal to one per cent applied to the rate the
42 facility received for the fiscal year ending June 30, 1999, exclusive of
43 the facility's wage, benefit and staffing enhancement rate adjustment.
44 For the fiscal year ending June 30, 2000, no facility with an interim rate,
45 replaced interim rate or scheduled rate adjustment specified in a
46 certificate of need or other agreement for the fiscal year ending June
47 30, 2000, shall receive a rate increase that is more than one per cent
48 more than the rate the facility received in the fiscal year ending June
49 30, 1999. For the fiscal year ending June 30, 2001, each facility, except a
50 facility with an interim rate or replaced interim rate for the fiscal year
51 ending June 30, 2000, and a facility having a certificate of need or other

52 agreement specifying rate adjustments for the fiscal year ending June
53 30, 2001, shall receive a rate increase equal to two per cent applied to
54 the rate the facility received for the fiscal year ending June 30, 2000,
55 subject to verification of wage enhancement adjustments pursuant to
56 subdivision (15) of this subsection. For the fiscal year ending June 30,
57 2001, no facility with an interim rate, replaced interim rate or
58 scheduled rate adjustment specified in a certificate of need or other
59 agreement for the fiscal year ending June 30, 2001, shall receive a rate
60 increase that is more than two per cent more than the rate the facility
61 received for the fiscal year ending June 30, 2000. For the fiscal year
62 ending June 30, 2002, each facility shall receive a rate that is two and
63 one-half per cent more than the rate the facility received in the prior
64 fiscal year. For the fiscal year ending June 30, 2003, each facility shall
65 receive a rate that is two per cent more than the rate the facility
66 received in the prior fiscal year, except that such increase shall be
67 effective January 1, 2003, and such facility rate in effect for the fiscal
68 year ending June 30, 2002, shall be paid for services provided until
69 December 31, 2002, except any facility that would have been issued a
70 lower rate effective July 1, 2002, than for the fiscal year ending June 30,
71 2002, due to interim rate status or agreement with the department shall
72 be issued such lower rate effective July 1, 2002, and have such rate
73 increased two per cent effective June 1, 2003. For the fiscal year ending
74 June 30, 2004, rates in effect for the period ending June 30, 2003, shall
75 remain in effect, except any facility that would have been issued a
76 lower rate effective July 1, 2003, than for the fiscal year ending June 30,
77 2003, due to interim rate status or agreement with the department shall
78 be issued such lower rate effective July 1, 2003. For the fiscal year
79 ending June 30, 2005, rates in effect for the period ending June 30, 2004,
80 shall remain in effect until December 31, 2004, except any facility that
81 would have been issued a lower rate effective July 1, 2004, than for the
82 fiscal year ending June 30, 2004, due to interim rate status or
83 agreement with the department shall be issued such lower rate
84 effective July 1, 2004. Effective January 1, 2005, each facility shall
85 receive a rate that is one per cent greater than the rate in effect
86 December 31, 2004. Effective upon receipt of all the necessary federal

87 approvals to secure federal financial participation matching funds
88 associated with the rate increase provided in this subdivision, but in
89 no event earlier than July 1, 2005, and provided the user fee imposed
90 under section 17b-320 is required to be collected, for the fiscal year
91 ending June 30, 2006, the department shall compute the rate for each
92 facility based upon its 2003 cost report filing or [.] a subsequent cost
93 year filing for facilities having an interim rate for the period ending
94 June 30, 2005, as provided under section 17-311-55 of the regulations of
95 Connecticut state agencies. For each facility not having an interim rate
96 for the period ending June 30, 2005, the rate for the period ending June
97 30, 2006, shall be determined beginning with the higher of the
98 computed rate based upon its 2003 cost report filing or the rate in
99 effect for the period ending June 30, 2005. Such rate shall then be
100 increased by eleven dollars and eighty cents per day except that in no
101 event shall the rate for the period ending June 30, 2006, be thirty-two
102 dollars more than the rate in effect for the period ending June 30, 2005,
103 and for any facility with a rate below one hundred ninety-five dollars
104 per day for the period ending June 30, 2005, such rate for the period
105 ending June 30, 2006, shall not be greater than two hundred seventeen
106 dollars and forty-three cents per day and for any facility with a rate
107 equal to or greater than one hundred ninety-five dollars per day for
108 the period ending June 30, 2005, such rate for the period ending June
109 30, 2006, shall not exceed the rate in effect for the period ending June
110 30, 2005, increased by eleven and one-half per cent. For each facility
111 with an interim rate for the period ending June 30, 2005, the interim
112 replacement rate for the period ending June 30, 2006, shall not exceed
113 the rate in effect for the period ending June 30, 2005, increased by
114 eleven dollars and eighty cents per day plus the per day cost of the
115 user fee payments made pursuant to section 17b-320 divided by
116 annual resident service days, except for any facility with an interim
117 rate below one hundred ninety-five dollars per day for the period
118 ending June 30, 2005, the interim replacement rate for the period
119 ending June 30, 2006, shall not be greater than two hundred seventeen
120 dollars and forty-three cents per day and for any facility with an
121 interim rate equal to or greater than one hundred ninety-five dollars

per day for the period ending June 30, 2005, the interim replacement rate for the period ending June 30, 2006, shall not exceed the rate in effect for the period ending June 30, 2005, increased by eleven and one-half per cent. Such July 1, 2005, rate adjustments shall remain in effect unless [(i)] (A) the federal financial participation matching funds associated with the rate increase are no longer available; or [(ii)] (B) the user fee created pursuant to section 17b-320 is not in effect. For the fiscal year ending June 30, 2007, each facility shall receive a rate that is three per cent greater than the rate in effect for the period ending June 30, 2006, except any facility that would have been issued a lower rate effective July 1, 2006, than for the rate period ending June 30, 2006, due to interim rate status or agreement with the department, shall be issued such lower rate effective July 1, 2006. For the fiscal year ending June 30, 2008, and for each fiscal year thereafter, the Commissioner of Social Services shall adjust rates established pursuant to this subdivision to reimburse facilities for energy costs incurred during the preceding fiscal year. Such energy reimbursement costs shall not be subject to the maximum allowable costs pursuant to subdivision (3) of this subsection, rate increase limits under this subdivision or any other limitation set forth in the general statutes or the regulations of Connecticut state agencies. The [Commissioner of Social Services] commissioner shall add fair rent increases to any other rate increases established pursuant to this subdivision for a facility which has undergone a material change in circumstances related to fair rent. Interim rates may take into account reasonable costs incurred by a facility, including wages and benefits.

Sec. 2. (*Effective July 1, 2007*) The sum of two million dollars is appropriated to the Department of Social Services, from the General Fund, for the fiscal year ending June 30, 2008, for the purpose of providing increased funding for the CHOICES program for Medicare Part D outreach, public education and enrollment assistance.

Sec. 3. (*Effective July 1, 2007*) The sum of two million dollars is appropriated to the Department of Social Services, from the General

155 Fund, for the fiscal year ending June 30, 2008, for the purpose of
156 providing increased funding for the supplemental nutrition assistance
157 program.

158 Sec. 4. (*Effective July 1, 2007*) The sum of five hundred thousand
159 dollars is appropriated to the Department of Agriculture, from the
160 General Fund, for the fiscal year ending June 30, 2008, for the purpose
161 of providing increased funding for the seniors' farmers market
162 nutrition program.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2007</i>	17b-340(f)(4)
Sec. 2	<i>July 1, 2007</i>	New section
Sec. 3	<i>July 1, 2007</i>	New section
Sec. 4	<i>July 1, 2007</i>	New section

HS

Joint Favorable C/R

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